

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X
CHARLES HARRISON,

Petitioner,
-against-

RAYMOND J. CUNNINGHAM,

Respondent.
-----X

JUDGMENT

07-CV-4077 (NGG)

A Memorandum and Order of the Honorable Nicholas G. Garaufis, United States District Judge, dated May 17, 2011, having been filed and entered on May 18, 2011 granting Petitioner's application for a writ of habeas corpus and ordering Petitioner's release unless the State affords him a new trial within ninety days of the date of the Court's May 17, 2011 Memorandum and Order; and

A Memorandum and Order of the Honorable Nicholas G. Garaufis, United States District Judge, dated June 6, 2011, having been entered (1) granting in part and denying in part Respondent's motion for reconsideration of the Court's Memorandum and Order dated May 17, 2011 granting Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254; and (2) withdrawing the Judgment entered May 26, 2011 (Docket Entry #11) pending further resolution of Respondent's motion for reconsideration; and

An Order of the Honorable Nicholas G. Garaufis, United States District Judge, dated June 21, 2011, having been entered on June 22, 2011 (1) denying the remainder of Respondent's motion for reconsideration of the Court's Memorandum and Order dated May 17, 2011; and (2) directing the Clerk of Court to reenter judgment granting the petition and directing Respondent to release Petitioner from the remainder of his sentence unless the State affords him a new trial

within ninety days of the Order dated June 21, 2001; it is

ORDERED AND ADJUDGED that Petitioner's application for a writ of habeas corpus is granted and Petitioner Charles Harrison is ordered released from the remainder of his sentence unless the State of New York affords him a new trial within ninety days of the date of the Court's June 21, 2011 Order.

Dated: Brooklyn, New York
June 22, 2011

Approved by:

S/Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge

Judgment Entered:

Dated: Brooklyn, New York
June 22, 2011

S/Robert C. Heinemann 2
ROBERT C. HEINEMANN
Clerk of Court